

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING**

DIANA MEY, individually and on
behalf of a class of persons and
entities similarly situated,

Plaintiff,
v. **Civil Action No: 5:14-cv-123**

**VENTURE DATA, LLC and
PUBLIC OPINION STRATEGIES, LLC.**

Defendants.

If you received a telephone call on June 11, August 19, or September 9, 2014, from “Call Research” or Venture Data, LLC, conducting a survey on behalf of Public Opinion Strategies, LLC, a class action lawsuit may affect your rights.

*A Federal Court authorized this Notice. You are not being sued.
This is not a solicitation from a lawyer.*

- A lawsuit has been filed against Venture Data, LLC, and Public Opinion Strategies, LLC, claiming they violated the Telephone Consumer Protection Act by using an automatic telephone dialing system to place calls to cellular telephones without consent. Venture Data and Public Opinion Strategies deny any wrongdoing.
- The Court decided this lawsuit should be a class action on behalf of all persons to whom, on June 11, August 19, or September 9, 2014, Venture Data placed a call on his or her cellular telephone line, using the Pro-T-S or CFMC dialer, and as part of a Public Opinion Strategies survey.
- The Court has not yet decided whether Venture Data or Public Opinion Strategies did anything wrong. There is no money available now and no guarantee that there will be. Your legal rights are affected, however, and you have a choice to make now as described in the below table.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT:	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up certain rights.</p> <p>By doing nothing, you automatically keep the possibility of getting money or benefits that may come from a trial or settlement. You will give up any rights to separately sue Venture Data or Public Opinion Strategies about the matters involved in this lawsuit.</p>
ASK TO BE EXCLUDED	<p>Get out of this lawsuit. Receive no benefits from it. Keep rights to sue.</p> <p>If you ask to be excluded and money benefits are later awarded, you won't share in those. You will keep any rights to separately sue Venture Data and Public Opinion Strategies about the same matters in this lawsuit.</p>

- Your options are explained in this Notice. To ask to be excluded, you must act before [DATE]. To remain a part of the lawsuit and potentially become a Class Member, you do not need to do anything.
- If this case is not dismissed, resolved by motions, or settled before trial, Plaintiff's lawyers must prove the claims against Venture Data and Public Opinion Strategies. If money or benefits are obtained from Venture Data and Public Opinion Strategies, you will be notified about how to potentially receive a share.

BASIC INFORMATION

1. Why was this Notice issued?

The Court authorized this Notice to let you know that the Court has certified (or, allowed to proceed) a class action lawsuit that may affect you. You have legal rights and options that you may exercise, as described herein. Judge John Preston Bailey of the United States District Court for the Northern District of West Virginia is overseeing this class action. The lawsuit is known as *Mey v. Venture Data, LLC, et al.*, Civil Action No. 14-cv-123.

2. What is this lawsuit about?

This lawsuit claims that Venture Data placed calls to Ms. Mey's and class members' cellular telephone lines using an Automatic Telephone Dialing System (ATDS) without their consent, to conduct surveys on behalf of Public Opinion Strategies.

The lawsuit claims that, because of these calls, Venture Data and Public Opinion Strategies violated the Federal Telephone Consumer Protection Act, 47 U.S.C. § 227 (TCPA), because it prohibits the use of an ATDS to call a cellular telephone line without consent.

3. What is a class action and who is involved?

In a class action, a person called the “Class Representative” (in this case, Diana Mey) sues on behalf of a group (or groups) of people who have similar claims. The people together are a “Class” or “Class Members.” The individual who sues—and all the Class Members like him—are called the Plaintiffs. The entities they sue (in this case, Venture Data and Public Opinion Strategies) are called the Defendants. In a class action, the Court resolves the issues for all Class Members, except for those who exclude themselves from the Class(es).

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. In a class action one or more people called “Class Representative” (in this case Ms. Mey) sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” One court resolves the issues for everyone in the Class. Judge Bailey is in charge of this class action.

The Court certified the class described in the answer to Question 10.

Additional information about the Court’s reasons for allowing the lawsuit to be a class action is available in the Court’s Memorandum Opinion and Order, dated June 6, 2017, which is available at www.VentureDataClassAction.com in the Court Documents section.

THE CLAIMS IN THE LAWSUIT

5. What are the Plaintiff’s claims made in the lawsuit?

The claims that are made by Plaintiff in this lawsuit are described above in the answer to Question 2. For additional information, you can read a copy of the Plaintiff’s Complaint, which is available in the Court Documents section of www.VentureDataClassAction.com.

6. What do the Defendants say about Plaintiff’s claims?

The Defendants deny that they did anything wrong or violated any law. In addition, Venture Data made all of the calls, and Public Opinion Strategies denies that it can be held liable for these calls. You can read a copy of the Defendants’ Answers to Plaintiff’s Complaint, which is also available in the Court Documents section of the website.

7. Did the Court decide who is right?

The Court has not decided whether Plaintiff or the Defendants are correct. By certifying the Class and issuing this Notice, the Court is not suggesting that the Plaintiff will win or lose this case. Unless the case settles, Plaintiff must prove his claims at a trial or through legal motions to recover money.

8. What is the Plaintiff asking for?

Plaintiff is asking the Court to award each Class Member monetary damages of \$500 per call. If Plaintiff is able to show that the Defendants “willfully” or “knowingly” violated the TCPA, she will ask for up to \$1,500 per Class Member, per violation. Plaintiff is also asking the Court to enter an order prohibiting the Defendants from violating the TCPA in the future.

9. Is there money available at this time?

No money or benefits are available now because the Court has not decided whether the Defendants did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to share in them.

WHO IS IN THE CLASS

10. Am I part of one of the Classes?

The Classes certified by the Court consist of the following individuals: “All persons in the United States to whom, on June 11, August 19, or September 9, 2014, Venture Data placed a call on his or her cellular telephone line, using the Pro-T-S or CFMC dialer, and as part of a Public Opinion Strategies survey.”

If you received a postcard, you were identified because a telephone number, which may be your cellular telephone line, appeared in the Venture Data’s records as a number to which Venture Data placed one or more of the calls described above. If you did not receive a postcard in the mail, you may still be part of the Class if the Defendants initiated a call to your cellular telephone line as described above. You may be able to obtain your telephone bill and/or records from your telephone carrier, but you do not need to submit that information at this time.

If you have any questions about how to obtain this information, please call the lawyers in this case at the telephone number listed in the answer to Question 20.

If you are still not sure if you are included in one of the Classes, you can email the Class Action Administrator at info@VentureDataClassAction.com. You can also receive free help by calling the lawyers in this case at the telephone number listed in the answer to Question 20.

YOUR RIGHTS AND OPTIONS

You have a choice to make now about whether to stay in the Class or ask to be excluded before the trial.

11. What happens if I do nothing?

If you are a Class member, by doing nothing you will stay in the Class. If you stay in the Class and the Plaintiff obtains money or benefits, either as a result of any trial or settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you are a member of the Class and you do nothing now, regardless of whether the Plaintiff wins or loses the legal motions or trial, you will not be able to separately sue, or continue to separately sue the Defendants—as part of any other lawsuit—about the same legal claims that are the subject of this lawsuit. This means that if you do nothing, you may not be able to sue Venture Data or Public Opinion Strategies for TCPA violations occurring on June 11, August 19, or September 9, 2014. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action.

12. Why would I ask to be excluded?

If you already have your own lawsuit against the Defendants for the same types of calls made during the same time period, and want to continue with it, you need to ask to be excluded from the Classes. If you exclude yourself from the Class—sometimes called “opting-out” of the Class—you won’t get any money or benefits from this lawsuit if any are awarded or obtained as a result of the trial, legal motions, or from

any settlement (that may or may not be reached) between the Defendants and the Plaintiff. However, you will be able to separately start your own lawsuit against, or continue to separately sue, the Defendants for the calls at issue in this case. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you start your own lawsuit against the Defendants after you exclude yourself, you'll have to hire and pay your own lawyer for that lawsuit, and you'll have to prove your claims.

13. How do I ask to be excluded from the Class?

To exclude yourself from the Class, you must email, mail, or otherwise deliver a letter (or request for exclusion) stating that you want to be excluded from *Mey v. Venture Data, L.L.C.*, Case No. 14-cv-123. Your request for exclusion must include your name and address, the phone number that received the calls at issue, and your signature (if your request for exclusion is sent by email, include your name in the email). You must email your request to OptOut@VentureDataClassAction.com or mail your exclusion request to: ----- by mail, postmarked no later [DATE].

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

The Court has appointed a team of lawyers from the firms Bailey & Glasser, LLP; Broderick Law, PC; and Law Office of Matthew McCue to represent the Classes. They are called "Class Counsel." They are experienced in handling similar class action cases.

15. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. You may seek the advice and guidance of your own lawyer, if you wish, at your own expense.

16. How will Class Counsel be paid?

If Class Counsel obtains money or benefits for the Class, they may ask the Court for attorneys' fees and expenses. You won't have to pay these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would generally be deducted from any money obtained for the Classes or paid separately by the Defendants.

THE TRIAL

17. How/when will the Court decide who is right?

If the case is not decided through legal motions or settled, Class Counsel will have to prove the Plaintiff's claims at a trial. The trial will be heard at United States District Court in Wheeling, WV. A trial date is not yet scheduled. During the trial, a Jury will hear all of the evidence to help them reach a decision about whether the Plaintiff or the Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win or that they will get any money for the Class.

18. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiff and the Defendants will present their defenses. You are welcome to attend at your own expense.

19. Will I get money after the trial?

If the Plaintiff obtains money or benefits as a result of the trial or a settlement, you will be notified about how the money or benefits will be distributed to class members, and provided with information on your options at that time. Currently, we do not know if any benefits will be available or how long this process will take.

GETTING MORE INFORMATION

20. Where can I get more information?

The website www.VentureDataClassAction.com contains several court documents that provide additional information about the case. This website will be updated with the most current information about the lawsuit as it becomes available. You may also write with questions to ---- or to info@VentureDataClassAction.com. You may call Class Counsel at 800-xxx-xxxx, if you have any questions. Before doing so, however, please read this full Notice carefully.